

Notice of Allowability

Application No.

09/828,296

Examiner

Charles E. Cooley

Applicant(s)

CORNAY ET AL.

Art Unit

1723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the papers submitted 19 SEP 2003.
2. ☒ The allowed claim(s) is/are 1-31.
3. ☒ The drawings filed on 05 September 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

Charles E. Cooley

Charles E. Cooley
Primary Examiner
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EXAMINER'S AMENDMENT

1. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

Authorization for this Examiner's Amendment was given in the papers filed 19 SEP 2003 by FAX by S. Craig Hemenway.

2. The application has been amended as follows:

In the Claims:

CANCEL nonelected claims 32-91.

Amend claim 15 as follows:

15. The centrifuge of claim 11 further comprising a second motor operably connected to ~~said~~ a conveyor screw located within said inner tube of said arm assembly, the second motor for driving said conveyor screw.

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Amend claim 23 as follows:

23. A centrifuge for accepting an input mixture and for separating a light material that is within the input mixture from a heavy material that is within the input mixture, comprising:
- a central member rotatable on an axis of rotation;
 - a first arm assembly mounted on one side of said central member;
 - a second arm assembly mounted on an opposite side of said central member;
 - said first and second arm assemblies rotatable in a plane that extends generally perpendicular to said axis of rotation;
 - each of said first and second arm assemblies ~~arms~~ having;
 - an outer housing having a closed outer end and an inner end mounted to said central member;
 - an intermediate tube having an open outer end and an inner end mounted to said central member;
 - an inner tube having an open outer end and an inner end mounted to said central member;
 - said outer housing, intermediate tube and inner tube being concentrically arranged;
 - said inner tube having a given length;
 - said intermediate tube having a length that is less than said given length; and
 - said outer end of said outer housing being physically spaced from said outer end of said intermediate tube and from said outer end of said inner tube;
 - an input mixture flow path communicating with a cylindrical space between said intermediate tube and said inner tube;
 - a heavy material flow path communication with a space within said inner tube;
 - a light material flow path communication with a cylindrical space between said intermediate tube and said outer housing;
 - a first conveyer screw located within said inner tube of said first arm assembly;
 - a second conveyer screw located within said inner tube of said second arm assembly;
 - first drive means connected to effect rotation of said ~~body~~ central member and said first and second arm assemblies about said axis of rotation; and
 - second speed controllable drive means connected to effect rotation of said first and second conveyer screws.

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Amend claim 27 as follows:

27. The centrifuge of claim 26 further comprising a drive shaft; and wherein said drive shaft and said discharge cone extend in opposite directions away from said ~~body~~ central member.

Amend claim 30 as follows:

30. The centrifuge of claim 29 further comprising a drive shaft; and wherein said hydraulic motor is mounted within said a heavy material output cavity.

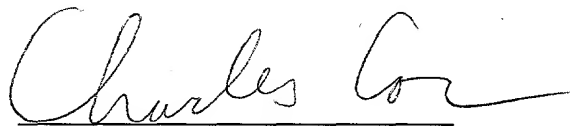
3. The above changes were made by Applicant in the papers submitted to the examiner by FAX. The changes were made to merely clarify the wording of the claims to comply with 35 USC 112, second paragraph. Nonelected claims 32-91 were canceled subject to the filing thereof in one or more divisional applications.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Charles Cooley whose telephone number is ☎ (703) 308-0112.

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5. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 1700 receptionist whose telephone number is ☎ (703) 308-0651.

Dated: 8 October 2003

A handwritten signature in cursive script, appearing to read "Charles Cooley", written in black ink.

Charles Cooley
Primary Examiner
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